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___ Prosecutor (ril)
___ Federal Detention Center
___ U.S. Marshall's
___ Sheriff's

2006 MAR 14 PM 4:45

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STATE OF HAWAII

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IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

STATE OF HAWAII) CR NO. 05-1-0402
)
vs.	) APPLICATION FOR WRIT OF
	) HABEAS CORPUS AD
MICHAEL MIYASATO,	) PROSEQUENDUM; ORDER
	) DIRECTING ISSUANCE OF WRIT
Defendant.	) OF HABEAS CORPUS AD
	) PROSEQUENDUM; WRIT OF
	) HABEAS AD PROSEQUENDUM

APPLICATION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE GREG K. NAKAMURA, JUDGE OF THE ABOVE-ENTITLED COURT:

Comes now the STATE OF HAWAII, by JASON M. SKIER, Deputy
Prosecuting Attorney of the County and State of Hawai'i, and respectfully alleges as follows:

1. That an Indictment for Promoting a Dangerous Drug in the Third Degree and Prohibited Acts Related to Drug Paraphernalia against MICHAEL MIYASATO was filed on October 13, 2005, in the Circuit Court of the Third Circuit, Hilo, Hawai'i;

I hereby certify that this is a full, true and correct
copy of the original on file in this office.

EXHIBIT

B

Barak

Clerk, Third Circuit Court, State of Hawaii

2. That Defendant has an arraignment and plea hearing scheduled on Monday, April 3, 2006, at 1:00 p.m. in the Circuit Court of the Third Circuit, Division One;

3. That said Defendant is now imprisoned as a federal prisoner and is detained at the Federal Detention Center, Honolulu, Hawai'i; and

WHEREFORE, Applicant prays that the Clerk of this Court be instructed to issue a Writ of Habeas Corpus ad Prosequendum to the United States Marshall Service for the District of Hawai'i forthwith to make available to State officials on Monday, April 3, 2006, the body of MICHAEL MIYASATO for the purpose of a change of plea hearing; and

STATE OF HAWAI'I OFFICIALS, upon taking custody of said Defendant, to:

1. bring the said MICHAEL MIYASATO before the Presiding Judge of the Circuit Court of the Third Circuit on Monday, April 3, 2006, at 1:00 p.m. and at any time or times deemed necessary in the further proceedings of Criminal No. 05-1-0402;

2. return the said MICHAEL MIYASATO to the Federal Detention Center, Honolulu, Hawai'i, into the custody of the United States Marshall on a mutually agreed upon date.

Dated: Hilo, Hawai'i, MAR 07 2006

STATE OF HAWAI'I

By


JASON M. SKIER

Deputy Prosecuting Attorney

ORDER DIRECTING ISSUANCE OF
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that the Clerk of this Court be and hereby is instructed to issue the Writ of Habeas Corpus ad Prosequendum prayed for in the foregoing Application.

Dated: Hilo, Hawai'i: MAR 14 2006.

GREG K. NAKAMURA (Seal)

Judge of the above-entitled court

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

STATE OF HAWAI'I	)	CR NO. 05-1-0402
)	
vs.)	
	)	WRIT OF HABEAS CORPUS
MICHAEL MIYASATO,	)	AD PROSEQUENDUM
)	
Defendant.)	
_____)	

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: The Judge of the Circuit Court of the Third Circuit, State of Hawai'i:

UNITED STATES MARSHALL for the District of Hawai'i, or His Deputy

WARDEN, Federal Detention Center, Honolulu, Hawai'i, or His Deputy

GREETINGS:

We Command that you, UNITED STATES MARSHALL for the District of Hawai'i, or your Deputy, produce the body of MICHAEL MIYASATO, who is being detained as a federal prisoner under your custody of said Defendant, to:

1. bring the said Defendant before the Presiding Judge of the Circuit Court of the Third Circuit on Monday, April 3, 2006, at 1:00 p.m., or at any time or times deemed necessary in the further proceedings of Criminal No. 05-1-0402;
2. retain custody of the Defendant and he shall be confined with the Department of Public Safety, State of Hawai'i, until the final disposition of the said case; and thereafter
3. return the said MICHAEL MIYASATO to the custody of the United States Marshal, on a mutually agreed upon date, at which time this writ shall be deemed dissolved.

WITNESS the Honorable Greg K. Nakamura, Judge of the Circuit Court of the Third Circuit at Hilo, Hawai'i, and the seal of said Court this ____ day MAR 14 2006, 2006.

JUNETTE M. S. NAKAMURA (SEAL)

Clerk, Circuit Court, Third Circuit
State of Hawai'i

GREG K. NAKAMURA (Seal)

Judge of the Circuit Court
Third Circuit, State of Hawai'i